

1 Dean Gazzo Roistacher LLP
2 Lee H. Roistacher, Esq. (SBN 179619)
3 440 Stevens Avenue, Suite 100
4 Solana Beach, CA 92075
5 Telephone: (858) 380-4683
6 Facsimile: (858) 492-0486
7 E-mail: lroistacher@deangazzo.com

5 Attorneys for Defendants
6 State of California by and through California
Highway Patrol and Officer Ramon Silva

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

10 SANDRA KIRKMAN AND
11 CARLOS ALANIZ,
12 INDIVIDUALLY AND AS
SUCCESSORS-IN-INTEREST TO
JOHN ALANIZ, DECEASED,

13 Plaintiff,

14 ||

15 STATE OF CALIFORNIA;
16 RAMON SILVA; AND DOES 1-10,
INCLUSIVE.

17 ||| Defendant.

Case No.: 2:23-cv-07532-DMG-SSC

DEFENDANTS' PROPOSED SPECIAL VERDICT

Courtroom: 8C
Judge: Hon. Dolly M. Gee

FPTC: March 25, 2025, 2:00 p.m.

Trial Date: April 15, 2025, 8:30 a.m.

FOURTH AMENDMENT EXCESSIVE FORCE

21 **Question No. 1:** Did Officer Silva use excessive or unreasonable force
22 against John Alaniz?

24 YES _____ NO _____

26 If you answered “YES” to Question No. 1, please proceed to Question No.
27 2.

1 If you answered “NO” to Question No. 1, please proceed to Question No. 8.
2

3 **Question No. 2:** Was Officer Silva’s use of excessive or unreasonable
4 force a cause of injury, harm, damage or death to John Alaniz?
5

6 YES _____ NO _____
7

8 Please proceed to Question No. 3.
9

10 **BATTERY**
11

12 **Question No. 3:** Did Officer Silva intentionally use excessive or
13 unreasonable force against John Alaniz?
14

15 YES _____ NO _____
16

17 If you answered “YES” to Question No. 3, please proceed to Question No.
18 4.
19

20 If you answered “NO” to Question No. 3, please proceed to Question No. 5.
21

22 **Question No. 4:** Was Officer Silva’s intentional use of excessive or
23 unreasonable force against John Alaniz a substantial factor in causing his death?
24

25 YES _____ NO _____
26

27 Please proceed to Question No. 5.
28

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BANE ACT

Question No. 5: Did Officer Silva act violently against John Alaniz?

YES _____ NO _____

If you answered “YES” to Question No. 5, please proceed to Question No.

6.

If you answered “NO” to Question No. 5, skip to Question No. 7.

10 **Question No. 6:** Did Officer Silva commit these acts of violence against
11 John Alaniz to prevent him from exercising his right to be free from excessive
12 force under the Fourth Amendment?

YES NO

If you answered “YES” to Question No. 6, please proceed to Question No.

7.

If you answered “NO” to Question No. 6, please proceed to Question No. 8.

20 **Question No. 7:** Was Officer Silva's conduct a substantial factor in
21 causing harm to John Alaniz?

Please proceed to Question No. 8.

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NEGLIGENCE

Question No. 8: Did Officer Silva negligently use deadly force against John Alaniz?

YES _____ NO _____

If you answered “YES” to Question No. 8, please proceed to Question No. 9.

If you answered “NO” to Question No. 8, please proceed to the Damages section below.

Question No. 9: Was Officer Silva's negligent use of deadly force a substantial factor in causing of John Alaniz's death?

Please proceed to Question No. 10.

Question No. 10: Was John Alaniz negligent?

YES _____ NO _____

If you answered “YES” to Question No. 10, please proceed to Question No. 11.

If you answered “NO” to Question No. 10, please proceed to the Damages section below.

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Question No. 11: Was John Alaniz's negligence a substantial factor in causing his death?

YES _____ NO _____

If you answered “YES” to Question No. 11, please proceed to Question No. 12.

If you answered “NO” to Question No. 11, please proceed to the Damages section below.

Question No. 12: What percentage of negligence that was the cause of John Alaniz's death do you assign to Officer Silva, and what percentage of negligence that was a cause of John Alaniz's death do you assign to John Alaniz:

Officer Silva:

John Alaniz:

(Your total must equal 100%)

Please proceed to the Damages section below.

DAMAGES

If you did not answer "YES" to any of Question Nos. 2, 4, 7 and 9, please sign and return this verdict form.

If you answered “YES”, to any of Questions Nos. 2, 4, 7 and 9, please answer Question No. 13.

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Question No. 13: What are John Alaniz's damages?

Pre-death pain and suffering: \$_____.

Loss of life: \$ _____ (Only provide an amount if you answered “YES” to Question No. 2).

If you did not answer "YES" to any of Question Nos. 4, 6 or 7, please sign this verdict form and return it to the Court.

If you answered “YES” to any of Question Nos. 4, 6 or 7, please answer Question No. 14.

Question No. 14: What are Sandra Kirkman and Carlos Alaniz's damages for the death of John Alaniz?

A. Funeral and burial expenses: \$

B. The loss of John Alaniz's love, companionship, comfort, care, assistance, society and moral support from March 4, 2022 to the present: \$.

C. The loss of John Alaniz's love, companionship, comfort, care, assistance, society and moral support from today forward:

\$.

Please sign and date this verdict form and return it to the Court.

Dated: _____

Jury Foreperson